

to waive the screening requirements for the existing parking area is hereby

DISMISSED.

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

Variance from Section 409.2 C(1)

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part percof, hereby petition for a

PETITION FOR ZOMING VARANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2 C(1) to waive the requirement that all off-street parking facilities. including drives be screened from off-site residential or the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) "The Owner has incurred extreme hardship and expense in maintaining a suitable fence around the subject property as required by Baltimore County Zoning Ordinances. Following complaints in the Fall of 1980, the existing fence was removed and approximately 900 lin. feet of new stockade fencing was installed. At this time, most of this new fence has been vandalized and repair or replacement would again subject the Owner to substantial costs." Property is to be posted and advertised as prescribed by Zoning Regulations. I, a we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): Contract Purchaser: (Type or Print Name) (Type or Print Name) City and State Attorney for Petitioner: Rob Ross Hendrickson, Esq. (Type or Print Name) Sauerwein, Boyd, Decker & Levin City and State 9 West Mulberry Street Name, address and phone number of legal owner, contract purchaser or representative to be contacted Baltimore, MD 21201 /o Cook United, Inc. City and State 6501 Rockside Road Maple Hts. OH 44137 216/475-1000 Attorney's Telephone No.: 301/727-5770 ORDERED By The Zoning Commissioner of Baltim re County, this _____26th_____ day of _______, 19_2____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of March 1082 at 9:30 o'clock Zoning Commissioner of Baltimore County.

LLECTION

We, the undersigned, (Petitioners), respectfully request that Cook United, Inc., the new owners of the Wise Avenue, Lynch Road and Eddlynch Road Shopping Center, properly screen its off-street parking facilities in accordance with Section 409.2C(1) of the Baltimore County Zoning Regulations (Required screening for off-street parking). The property in question, having previously been owned by Food Fair Stores, Inc., was at issue in 1969 and 1970, resulting in a Decree dated March 3, 1970, signed by Judge John E. Raine, Jr., wherein the said Food Fair Stores, Inc. was directed to comply with the screening regulation. It is the feeling of the Petitioners that a deletion of said screening would not be in the best interests of the community and would adversely affect the health, safety, morals and general welfare of it. Further, the Petitioners request that reasonable commercial screening be provided. Godford M Bevent 7822 Eddlynd 22296 3-3-82 hu & Berent 7812 Eddlynch Rd 288-2246 3-3-82 Here C. JEBRUN 7811 CDD/NES Kd 284.1034 3-3-82 Council biotographic 7876 Challynd. 18 285-3-104 3:3:50 Longer We Rosco 7828 Ellynch Sd. 2854054-3-3-53 CC 7828 Edit Lyne 18 785-1654 3382 8 9/11 78.28 Edy June 285-15 3-3-8 eage/Han 7828 Eilifyuk 285/0543-32 ho linthury OBicov 7828 Eld Lyn ASS 785K5433 Tiva Mrs. Nelliam Michary 1878 Church Ld. 297-7442 3/3/82 Mr. Yohn Kenning 7804 EDDLYNCH RD 2849305 3/8/82 Mrs Mildred & Reusing 7804 Eddlynk Rood 284-93003-322 In Bur 2811 Eldynd A 3/82 284-1034 Le Brun 7811 Eddlynch Rd. 3/3/82 284-1634 Cirpose 1824 Coldwhynk 3/482 214-5249 Elizabeth 14. Lynch 1134 Lynch & 3/4/82

Edwin On Lynch, 1134 Lynch Kd. 284.7027, 3/4/82

Bev. Charles H. Junin, 1727 Lynch fill 3/5/82 284.6600

Miery M. Buner 1771 Lynch fil 3/7/82-285.2398

Laures M. Barrelles 1771 Lyrich Kd. 3/7/82-285.2398

Lene Levetrandic 7836 Ed Stymol. Cd. 3/7/82 285.3204

Finil 7824 EddylyKh Rd. 97/82 284-5249

PETITION FOR ZONING VARANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2 C(1)

to waive the requirement that all off-street parking ____facilities.including_drives_be_screened_from_off-sito_residential_or____

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

"The Owner has incurred extreme hardship and expense in maintaining a suitable fence around the subject property as required by Baltimore County Zoning Ordinances. Following complaints in the Fall of 1980, the existing fence was removed and approximately 900 lin. feet of new stockade fencing was installed. At this time, most of this new fence has been vandalized and repair or replacement would again subject the Owner to substantial costs."

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Zoning Commissioner of Baltimore County.

82-207-A

Contract Purchaser:	Legal Owner(s):	
	COOK UNITED, INC.	
(Type or Print Name)	(Type or Print Name)	*****
	R. H 11 CT	tion
Signature	Signature Vice Pres	ident
		HAR -1/
Add.ess	(Type or Print Name)	
		FRECTION
City and State	Signature	a relief
Attorney for Petitioner:	. 1	TYPE
•	Into dented	11.20
Rob Ross Hendrickson, Esq. (Type or Print Name)	Address	Phone No.
Sauerwein, Boyd, Decker & Levin	7	Phone No.
Signature	City and State	
9 West Mulberry Street		
Address	Name, address and phone number of tract purchaser or representative to	legal owner, con- be contacted
Baltimore, MD 2 1	Robert McCormick	
City and State	Name C/O COOK United.	Inc.
Attorney's Telephone No.:301/727-5770	16501 Rockside F Maple Hts., OH	
1001110 \$ 1616phone 140.:	Address	Phone No.
ORDERED By The Zoning Commissioner of	of Baltimore County this 26th	1 .
		•
of, 19 82 , that t required by the Zoning Law of Baltimore Count out Baltimore County, that property be posted, Commissioner of Baltimore County in Room	ty, in two newspapers of general circulard that the public hearing he had be	ulation through-

County, on the 25th day of March 1082 at 9:30 o'clock

__A._M.

RE: PETITION FOR VARIANCE NW corner of Wise Ave. & Luncy Rd., 12th District

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

COOK UNITED, INC., Petitioner: Case No. 82-207-A

ORDER TO ENTER APPEARANCE

::::::

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman Deputy People's Counsel

John W. Hessian, III People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204 494-2188

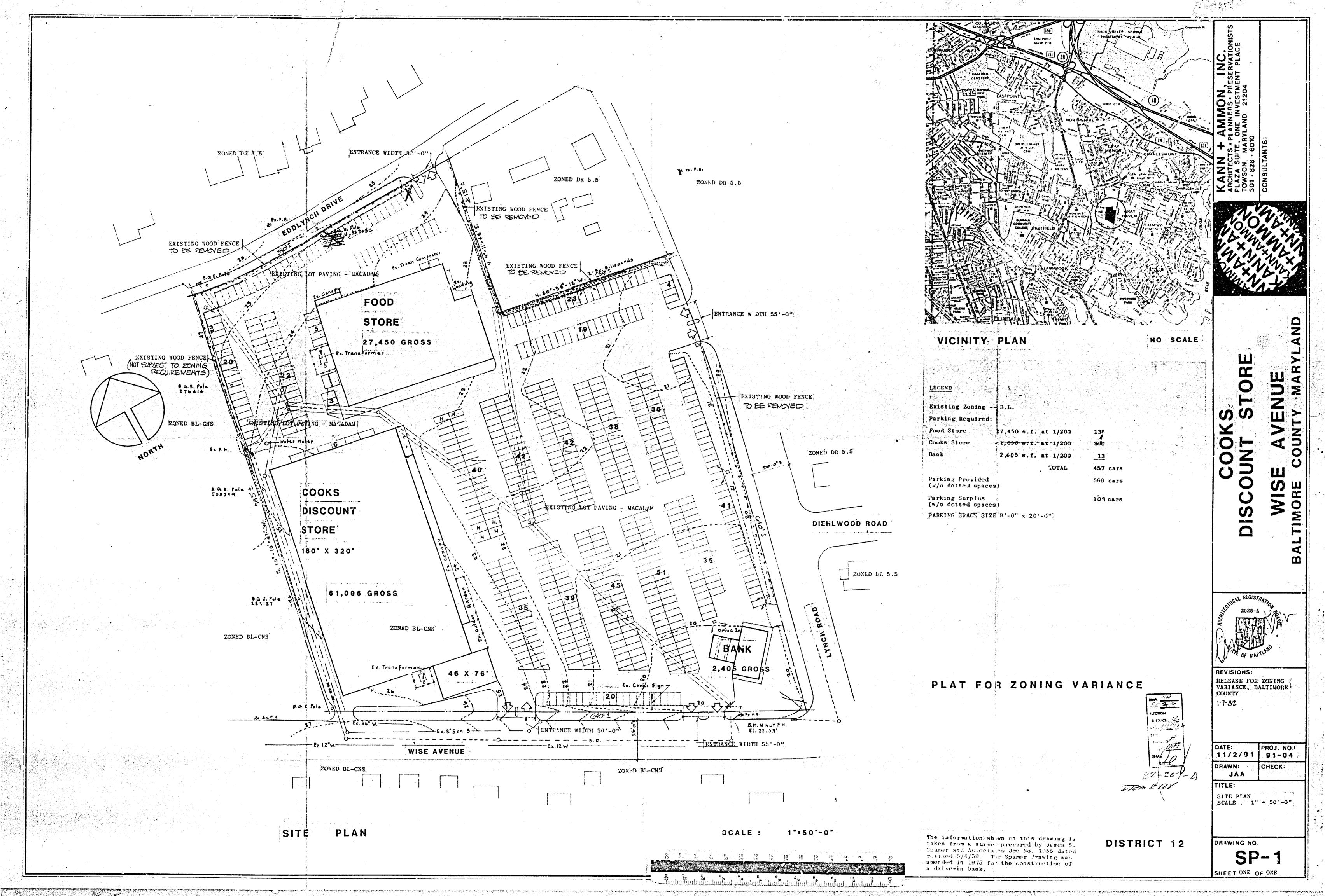
! HETEBY CERTIFY that on this 15th day of March, 1982, a copy of the foregoing Order was mailed to Rob Ross Hendrickson, Esquire, Sauerwein, Boyd, Decker & Leven, 9 W. Mulberry Street, Baltimore, Maryland 21201, Attorney for Petitioner.

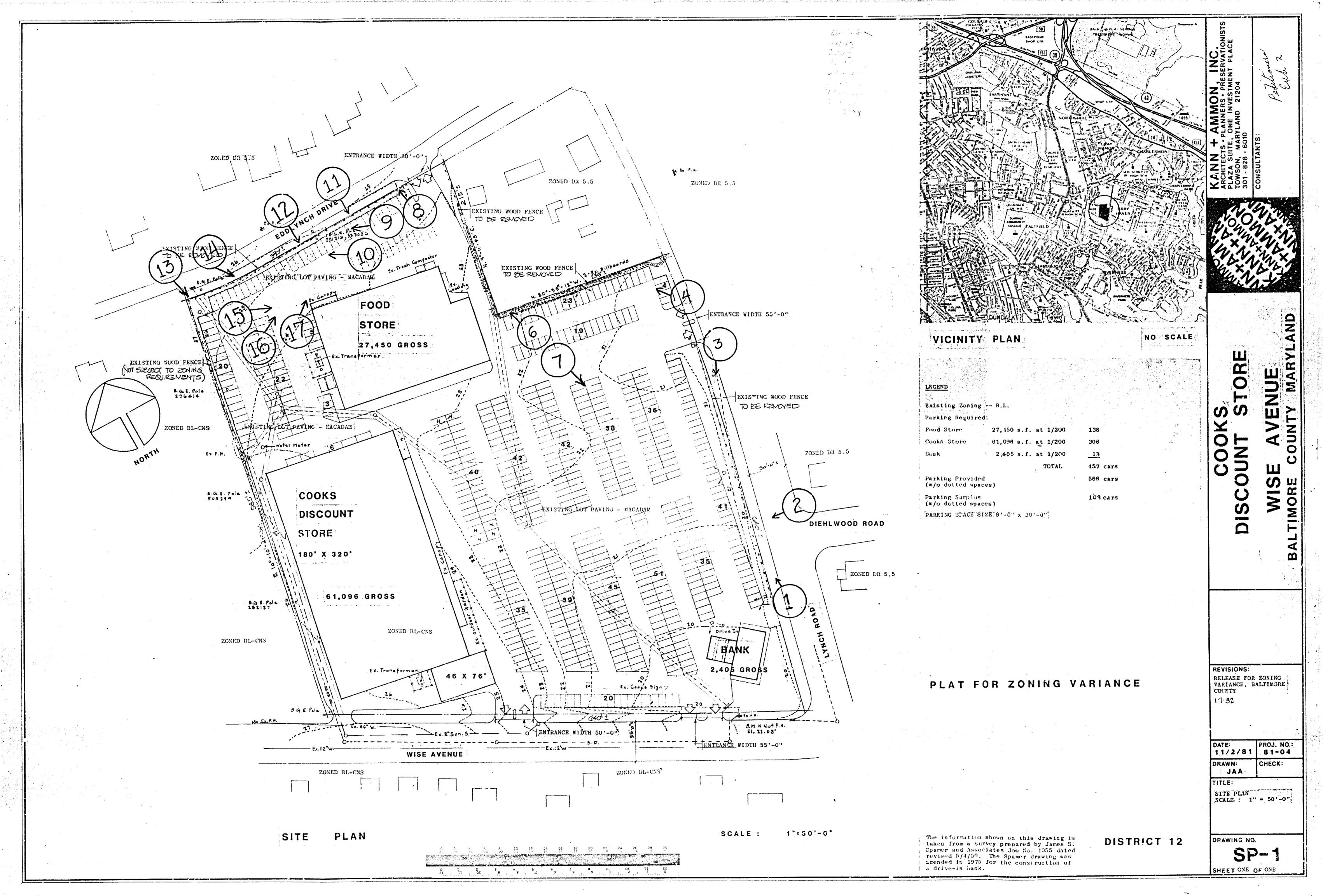
We, the undersigned, (Petitioners), respectfully request that Cook United, Inc., the new owners of the Wise Avenue, Lynch Road and Eddlynch Road Shopping Center, properly screen its off-street parking facilities in accordance with Section 409.2C(1) of the Baltimore County Zoning Regulations (Required screening for off-street parking). The property in question, having previously been owned by Food Fair Stores, Inc., was at issue in 1969 and 1970, resulting in a Decree dated March 3, 1970, signed by Judge John E. Raine, Jr., wherein the said Food Fair Stores, Inc. was directed to comply with the screening regulation. It is the feeling of the Petitioners that a deletion of said screening would not be in the best interests of the community and would adversely affect the health, safety, morals and general welfare of it. Further, the Petitioners request that reasonable commercial

screening be provid	ed.		
Name	Address	Phone #	<u>Date</u>
James E. Mu	uply 7800 EddLyne	LBI 288-467	6 3/0/82
Denotar J	Murphy 78206	Eddlyney Rd DS	18-46-71 3/51
Enoun Q.C	Teho 1723 Pan	d. Row DE	15650 ym
Evelyd Szz	weigh 1721 Rance	Rds., 288-4	4712 3/17/8
ale Howard	1717 Ranch 7	984-880	5 3/17/82
mys. 11 the	Tea 194 Karely	BA: 285-18	353/0/0
Howard Cal	inter 1719 Karel	hu 285.28	35 3/17/8
Deretto Mus	•	dan 282-96	30 3/17/32
Juna Brig	lt 1809 Edolly		134473
John Brigh	σ	_	-3447 3117
Barbar Ball	(/ A	-	1 EE CO. V
Edward P. King	11		5-2558 34
Xellion C. Kavaro	• ^	<i>i</i> +	2558 3/2
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M. Witt	Frye 7807 Eddlign		2-5643 1
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19/1/1/1/1/1	un Alexantivo Cruek	151. 254-05	16 /22/87
			

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	<u>Name</u>	Address	Phone #	Date
	Thomas	Guldan 7922 Dieplason	1 pd -	3/10/82
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)	Tazete	Died 7927 Willinson	URD.	3-10-82
	Lani	Daniton 7831 Hullion	1 Kl	7-10-82
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285-0186 Helen Hall 7904 DIEHLWOOD Rd albert of Hair 1904 Dechewood Rd. Mar 8-82 milder (2:1/ 7909/ Ciklured) Ed. 385004 mu 8-82 Stella Sthurante 7908 Duchlavord Rel 48/82 Morlane Becker 7910 Wellwood Rd. 285-3039 Donald Beck 7910 DIEHLWING BD 285- 3039 - 1902 Marie Jenen 7911 Dieblinool Rl 285-1253-5/0/8. Heward Jones 7911 Dieblescal Rd. :55-4253-3/8/82 Los Marie Goldam 7930 Dichlwood Pd 282-3416 3/8/82 Pat Filley 7928 DIENLWOOD RD 2846602 3882 B Dumbourdy 7926 Dichlowood Rd 284 9212 3/8/2 Eliz. Belichmoski 7924 Dichloood Pd 3/8/82 Geology new 7916 Dieblwood Kord 3713 3/8/82 7914 Diebloved Fd 284-5275.3/8/82 allen-7900 Dishlussekd. ent Di-ben 7907 Teklwood Rd 282-2573 1907 Sulewood Rd. 242-2512 1503 Dalini Rd 866-1685 Robert H Schilt 7907 Dichlural Rl 282-2572 Drancio In Cherole 7915 Dullword Rd Hirles 3/10 Mrs. J. Kammermayer 7917 Diehlwood Mr. 3/10/82

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond TO Zoning Commissioner Norman E. Gerber, Director Office of Planning and Zoning

March 10, 1982

SUBJECT Zoning Petition No. 82-207-A

In view of the petitioner's claims of vandalism and of the apparent back history of problems here, this office will not offer a comment on the subject matter.

> Norman E. Gerber, Director Office of Planning and Zoning

NEG:JGH:rmc

We, the undersigned, (Petitioners), respectfully request that Cock United, Inc., the new owners of the Wise Avenue, Lynch Road and Eddlynch Road Shopping Center, properly acreen its off-street parking facilities in accordance with Section 409.2C(1) of the Baltimore County Zoning Regulations (Required screening for off-street parking). The property in question, having previously been owned by Food Fair Stores, Inc., was at issue in 1969 and 1970, resulting in a Decree dated March 3, 1970, signed by Judge John E. Raine, Jr., wherein the said Food Fair Stores, Inc. was directed to comply with the screening regulation. It is the feeling of the Petitioners that a deletion of said screening would not be in the best interests of the ommunity and would adversely affect the health, safety, morals and general welfare of it. Further, the Petitioners request that reasonable commercial screening be provided.

7922 Sanul J. Mulheren, mon Vile Ove An Ruch Fungeal Home Due Wiss aux 285.4664 3/16/82 1/22 Thea. M. Bauer 1724 Leps & Rd. 284-7217 3/20/82 C: Rehard Baue 1724 Lynah Rd 284-7217 3/20/82 Marion E. R. Sig- 1718 Lynch. Rd 284-1084 3/21/82 F. Randia - 1718 Lynch Rd. 284-1084 3/21/ acks 1716 Lynn Rd Bullimore My 2122 3/2/8 mary I acks 1716 Lynch Rd Balto. Wd. 21222 3/22 JASILL 1722 Lynch RIT BATO, MD 282 3060 3/2

Rob Ross Hendrickson, Esquire Sauersein, Boyé, Docker & Levin 9 West Mulberry Street Baltimore, Ma. 21201

Er. Rubert Holomick o/o Cook United, Inc. 16501 Rockside Load Peple Heights, Chic 14137 Kama & Amon, Inc. Cone Investment Place

Towern, Md. 21205 BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

> County Office Building 111 W. Chesapeake Avenue

Towson, Maryland 21204 Your Petition has been received and accepted for filing

WILLIAM E. HAMMOND Zoning Commissioner

Petitioner Cook United, Inc. Petitioner's Attorney Rob Ross Tendrickers, Ent. Reviewed by: Julian B. Commodon

Advisory Committee

Chairman, Zoning Plans

accordance with Section 409.20(1) of the Baltimore County Zoning Regulations (Required screening for off-street parking). The property in question, having previously been owned by Food Fair Stores, Inc., was at issue in 1969 and 1970, resulting in a Decree dated March J, 1970, signed by Judge John E. Raine, Jr., wherein the said Food Fair Stores, Inc. was directed to comply with the screening regulation. It is the feeling of the Petitioners that a deletion of said screening would not be in the best interests of the community and would adversely affect the health, safety, morals and general welfare of it. Further, the Petitioners request that reasonable commercial screening be provided.

We, the undersigned, (Petitioners), respectfully request that Cook

United, Inc., the new owners of the Wise Avenue, Lynch Road and Eddlynch

Road Shopping Center, , reperly screen its off-street parking facilities in

288-5211 3-8-82 288-4711 3-8-82 Helin Eches 1723 Louk Fan 284.8680 3.8.82 you Viokman 1714 Rover Lane 284-3545 3-8-82 Jurun Brawie 1716 Ranchthine B85-4070 3-8-42 mil O Belerka Mil Rouch France 285-4010 3-8-82

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 11, 1982

RE: Item No. 128

COUNTY OFFICE BLDG. 111 W. Chesareake Ave. Towson, Maryland 21204

Rob Ross Hendrickson, Esquire Sauerwein, Boyd, Decker & Levin 9 West Mulberry Street Baltimore, Maryland 21201 Nicholas 3. Cormodari

~hairman MEMBERS

Bureau of State Roads Commission

Bureau of Fire trevention Health Department Project Planning Building Department Board of Education Industrial Development

Petitioner - Cook United, Inc. Variance Petition

Dear Mr. Hendrickson:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your client's proposal to waive the screening requirements for his existing parking area, this variance is required. If the request is granted, screening would not be required along Eddlynch Drive, Lynch Road and the northeast property lines that abut the dwellings located at the southwest corner of these two roads.

Anclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

nichelas D. Connadare, has NICHOLAS B. COMMODARI, Chairman Zoning Plans Advisory Committee

NBC:bsc Enclosures

cc: Mr. Robert McCormick C/O Cook United, Inc. 165C1 Rockside Road Maple Heights, Ohio 44137 Karn & Ammon, Inc. One Investment Place Towson, Md. 21204

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E. DIRECTOR

February 11, 1982

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE

PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #128 (1981-1982) Property Owner: Cook United, Incorporated N/W corner Wise Avenue and Lynch Road District: 12th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject

General:

Baltimore County highway and utility improvements exist and are not directly involved in regard to this property.

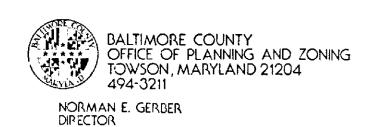
This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 128 (1981-1982).

Bureau of Public Services

RAM: EAM: FWK: SS

cc: Jack Wimbley

E-SW Key Sheet 10 & 11 SW 23 Pos. Sheets SE 3 F Topo 103 Tax Map



March 1, 1982

Mr. William Hammond, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #128, Zoning Advisory Committee Meeting, January 26, 1982, are as follows:

Property Owner: Cook United, Incorporated Location: NW/comer Wise Avenue and Lynch Road District: 12th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, k are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,

Current Planning and Development

JLW:rh

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: January 22, 1982

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

RE: Item No: 126, 127, 128, 129, 130, 131, 132, 133 Property Owner: Location: Present Zoning: Proposed Zoning:

> District: No. Acres:

Dear Mr. Hammond:

All of the above have no adverse effect on student population.

Very truly yours, Wm. Nick Petrovich, Assistant Department of Planning

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner TO Office of Planning and Zoning Date December 26, 1982

FROM Ian J. Forrest

SUBJECT Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

Item #118 - Pasquale Bruno

Item #120 - Burn Allen Stephenson

Item #126 - Clarence and Irene McNeal

Item #127 - Roy L. Chiavacci, et al

/ Item #128 - Cook United, Incorporated

Item #129 - Richard S. and Nancy D. Frank

Item #131 - Harwood Realty Corp.

Item #133 - Turnpike Associates

Ian J. Forr. J Director BUREAU OF ENVIRONMENTAL SERVICES

IJF/fth

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204 825-7310

PAUL H. REINCKE CH'TE

Taning Commissioner Office of Planning and Zoning Towson, Maryland 21204

Bureau and the comments below marked with an "X" are applicable and required

located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the

Association Standard No. 101 "Life Safety Code", 1 76 Edition prior

1X) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER Lett Joseph 101, 9/75/89 Approved: LOB-95 17 1/ Commost Special Inspection Division

NOTICE OF HEARING

Thursday, March 25, 1932

TOWSON, MARYLAND

Maple Heights, Chio 44137

Robert McCormick

c/o Cook United, Inc.

16501 Rockside Road

PLACE: ROOM 106 COUNTY OFFICE PHILIDIPS, 111 W. CHESAPEARE AVENUE,

Patition for Variance

Case #82-207-A

February 24, 1982

William, of Wilo Ave. & Lyach Rd.

Cook United, Inc. - Petitioner

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARY LAND 21204
494-3353 Rob Ross Hendrickson, Esquire Sauerwein, Boyd, Decker & Levin March 17, 1982 9 West Mulberry Street Baltimore, Maryland 21201

WILLIAM E. HAMMOND ZONING COMMISSIONER

Rob Ross Hendrickson, Esquire Sauerwein, Boyd, Decker & Levin 9 West Mulberry Street Baltimore, MD 21201

> RE Petition for Variance NW/cor. of Wise Ave. & Lynch Rd. Cook United, Inc. - Petitioner Case #82-207-A

Dear Mr. Hendrickson;

This is to advise you that \$62.50 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

> Very truly yours, Zoning Commissioner

WEH:klr

February 24, 1982 Mr. William Hammond Baltimore County Office Building Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee RE: Property Owner: Cook United, Incorporated Location: NW corner Wise Avenue and Lynch Road Item No.: 128 Zoning Agenda: Meeting of January 26, 1982 Gentlemen: Pursuant to your request, the referenced property has been surveyed by this to be corrected or incorporated into the final plans for the property. () 1. Fire hydrants for the referenced property are required and shall be Department of Public Works. () 2. A second mean: vehicle access is required for the site. () 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department. () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection to occupancy. () 6. Site plans are approved, as drawn.

BALTIMORE COUNTY, MARYLAND

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

See Comments

See Comments

See Comments

See Comments

See Comments

Standard Comments

Charlo & Sumbon

Plans Review Chief

Standard Comments

Standard Comments

February 26, 1982

Nick Commodari

SUBJECT Meeting of January 26, 1982

Zoning Advisory Committee

Ted Burnham

ITEM NO. #126

ITEM NO. 127

/ITEM NO. 128

ITEM NO. 129

ITEM NO. 30

ITEM NO. 131

ITEM NO. 132

ITEM NO. 133

William E. Har TO Zoning Commissioner March 10, 1982 Norman E. Gerber, Director FPOM Orfice of Planning and Zoning SUBJECT Zoning Petition No. 82-207-A

> In view of the petitioner's claims of vandalism and of the apparent back history of problems here, this office will not offer a comment on the subject matter.

> > Norman E. Gerber, Director Office of Planning and Zoning

NZG:JGH:rmc

0

	INTER-OFFICE	CORRESPONDENCE
emmond	d	

J. COOKHAN BOYD, JR. WALTER S. LEVIN FRANKLIN M. BENSON, JR ROB ROSS HENDRICKSO DAVID K. HAYES JAHES R. WHATTAM

LEAH H. LEWIS

LAW OFFICES SAUERWEIN, BOYD, DECKER & LEVIN 9 WEST MULBERRY STREET BALTIMORE, MARYLAND 21201 AREA CODE 301

ALLAN SAUERWEIN (1875-1969) F. MURRAY BENSON (1895-1963)

January 11, 1982

Mr. William E. Hammond Zoning Commissioner Baltimore County Office of Planning and Zoning Towson, Maryland 21204

> Re: Cooks United, Inc. Case No. 82-143-V Dem 1.128

> > Petition for Variance

Dear Mr. Hammond:

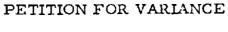
Pursuant to your request at the above violation hearing, and in line with your decision to suspend and finding in that regard for 90 days, I would request that prior to any date being set for the hearing on the variance, that your office be in touch with me to insure the availability of my client's representatives and myself on the proposed date of the hearing.

Respectfully,

Rob Ross Hendrickson 101 12 82 AM

RRH/acg

cc: Mr. Jim Thompson



12th DISTRICT

ZONING: Petition for Variance

LOCAS ON: Northwest corner of Wise Avenue & Lynch Road

DATE & TIME: Thursday, March 25,1982, at 9:30 A.M.

PUBLIC HEAR WG: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

> Petition for Variance to waive the requirement that all off-street parking facilities, including drives be screened

from off-site residential or institutional premises

The Zoning Regulation to be excepted as follows:

Section 409.2C(1) - Required screening for off-street parking

All that parcel of land in the Twelfth District of Baltimore County

Being the property of Cook United, Inc. as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, March 25, 1982 at 9:30 A.M. Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

> BY ORDER OF WILLIAM E. HAMMOND ZONING COMMISSIONER OF BALTIMORE COUNTY

PITION FOR VARIANCE

12th DISTRICT

Petition for Variance ZONING:

LOCATION:

Northwest corner of Wise Avenue & Lynch Road

DATE & TIME: Thursday, March 25,1982, at 9:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, III W. Chesapeake Avenue,

Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

> Petition for Variance to waive the requirement that all off-street parking facilities, including drives be screened from off-site residential or institutional premises

The Zoning Regulation to be excepted as follows:

Section 409, 2C(1) - Required screening for off-street parking

All that parcel of land in the Twelfth District of Baltimore County

Being the property of Cook United, Inc. as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, March 25, 1982 at 9:30 A.M. Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

> BY ORDER OF WILLIAM E. HAMMOND ZONING COMMISSIONER OF BALTIMORE COUNTY

ZONING DESCRIPTION

Located at a point on the northwest corner of Wise Avenue and Lynch Road and running westerly along the north side of Wise Avenue 640' more or less, thence leaving the north side of Wise Avenue and running north 100 10' 41" east 585' more or less to the south side of Eddlynch Drive, thence running easterly 390' more or less, thence leaving the south side of Eddlynch Drive and running South 9° 11' 45' west 215' more or less, thence south 800 53' 12" east 235' more or less to the west side of Lynch Road, thence running south along Lynch Road 640' more or less to the place of beginning.

ATTORNEY AT LAW 809 EASTERN BOULEVARD (BERMANIA FEDERAL BUILDING) ESSEX. MARYLAND 21221

ASSOCIATES CHARLES E. FOOS, III **Ј**они **8.** Соитвим JOHN O. HENNEGAN ALFRED M. WALFERT

686-8274

June 14, 1982

Very/truly yours,

Office of Planning and Zoning 111 West Chesapeake Avenue Towson, Maryland 21204

Attention: Ms. Jean M. H. Jung Deputy Commissioner

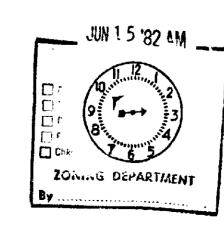
Reference: Cook United, Inc. Lynch Road

My clients have contacted me on several occassions to inquire as to the progress in the above referenced matter. Would you please advise us as to the status of the case and inform me as to what, if anything, I can do to be of assistance in order to expedite the proceedings.

JOH/dlw

Dear Ms. Jung:

cc: Ms. Esther M. Berrent



J. COOKMAN BOYD, JR. HENRY M. DECKER, JR. WALTER S. LEVIN FRANKLIN M. BENSON, JR.

JAMES R. WHATTAM

ROB ROSS HENDRICKSON DAVID K. HAYES

LAW OFFICES SAUERWEIN, BOYD, DECKER & LEVIN 9 WEST MULBERRY STREET BALTIMORE, MARYLAND 21201

AREA CODE 301

JOSHUA W. MILES ALLAN SAUERWEIN (1875-1969) L. MURRAY BENSON (1895-1963)

January 11, 1982

Mr. William E. Hammond Zoning Commissioner Baltimore County Office of Planning and Zoning Towson, Maryland 21204

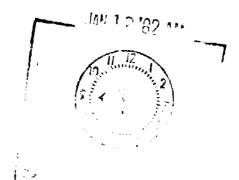
> Re: Cooks United. Inc. Case No. 82-143-V Petition for Variance

Dear Mr. Hammond:

Pursuant to your request at the above violation hearing, and in line with your decision to suspend and finding in that regard for 90 days, I would request that prior to any date being set for the hearing on the variance, that your office be in touch with me to insure the availability of my client's representatives and myself on the proposed date of the hearing.

RRH/acq

cc Mr. Jim Thompson



GALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND ZONING COMMISSIONER

September 8, 1982

Rob Ross Hendrickson, Esquire Sauerwein, Boyd, Decker & Levin 9 West Mulberry Street Baltimore, Maryland 21201

> RE: Petition for Variance NW/corner of Wise Ave. & Lynch Rd. -12th Election District Cook United, Inc. - Petitioner NO. 82-207-A (Item No. 128)

Dear Mr. Hendrickson:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Deputy Zoning Commissioner

JMHJ/mc Attachments

cc: John Hennegan, Esquire 809 Eastern Boulevard Baltimore, Maryland 21221

> John W. Hessian, III, Esquire People's Counsel

March 11, 1982

COUNTY OFFICE BLDG. 111 W. Chesupeake Ave. Towson, Maryland 21204

Nicholas B. Commodari

Chairman MEMBERS

Department of Traffic Engineering State Roads Commission Bureau of Fire Prevention

Health Department Project Planning Building Department Board of Education Zoning Administration Industrial

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

Rob Ross Handrickson, Esquire

Sauerwein, Boyd, Decker & Levin 9 West Mulberry Street Baltimore, Maryland 21201

RE: Item No. 128 Petitioner - Cook United, Inc. Variance Petition

Dear Mr. Hendrickson:

0

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of ne requested zoning.

In view of your client's proposal to waive the screening requirements for his existing parking area, this variance is required. If the request is granted, screening would not be required along Eddlynch Drive, Lynch Road and the northeast property lines that abut the dwellings located at the southwest corner of these two roads.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Richelas & Commedare, hase NICHOLAS B. COMMODARI. Chairman Zoning Plans Advisory Committee

NBC:bsc Enclosures

cc: Mr. Robert McCormick C/O Cock United, Inc. 16501 Rockside Road

Maple Heights, Ohio 14137 Kann & Ammon, Inc.

One Investment Place Towson, Md. 21204

Re: Item #128 (1981-1982) Property Owner: Cook United, Incorporated N/W corner Wise Avenue and Lynch Road District: 12th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Loning Advisory Committee in connection with the subject

General:

Baltimore County highway and utility improvements exist and are not directly involved in regard to this property.

This office has no further comment in regard to the plan sub 'tted for Zoning Advisory Committee review in connection with this Item 128 (1981-1982).

RAM: EAM: FWR: SS

cc: Jack Wimbley

E-SW Key Sheet 10 & 11 SW 23 Pos. Sheets SE 3 F Topo 103 Tax Map

CALTIMORE COUNTY OFFICE OF PLANNING AND ZONING TOWSON, MARYLAND 21204 NORMAN E. GERBER

March 1, 1982

Mr. William Hammond, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

DIRECTOR

Comments on Item #128, Zoning Advisory Committee Meeting, January 26, 1982, are as follows:

per sur personal de la company de la company

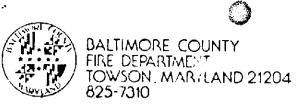
Property Owner: Cook Urited, Incorporated Location: NW/corner Wise Avenue and Lynch Road District: 12th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,

Current Planning and Development



PAUL H. REINCKE

February 24, 1982

Mr. William Hammond Toning Commissioner Office of Planning and Zoning Baltimore County Office Building Towsca, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Cook United, Incorporated

Location: NW corner Wise Avenue and Lynch Road

Zoning Agenda: Meeting of January 26, 1982

Item No.: 128

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle a end condition shown at _

EXCEEDS the maximum allowed by the Fire Department.

- (; 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.

(X) 7. The Fire Prevention Bureau has no comments, at this time.

Fire Prevention Bureau Special Inspection Division

ZONING DESCRIPTION

Located at a point on the northwest corner of Wise Avenue and Lynch Road and running westerly along the north side of Wise Avenue 640' more or less, thence leaving the north side of Wise Avenue and running north 100 10' 41" east 585' more or less to the south side of Eddlynch Drive, thence running easterly 390' more or less, thence leaving the south side of Eddlynch Drive and running South 90 11 45. west 215 more or less, thence south 80° 53' 12" east 235' more or less to the west side of Lynch Road, thence running south along Lynch Road 640' more or less to the place of beginning.

322 ATLANTIC REPORTER, 2d SERIES 3. Zoning \$\infty\$502, 503 22 Md.App. 28 McRae ANDERSON et al. A use variance changes the characters of the zoned district while an area of BOARD OF APPEALS, TOWN OF CHESA-PEAKE BEACH, Maryland, et al. No. 531. Use variances are customarly as remed with hardship cases where Court of Special American of Maryland the zoning ordinance and a variance

be permitted to avoid confiscatory open tion of ordinance, while area variance Appeal from an order of the Circuit Court, Calvert County, Perry G. Bowen, Jr., J., affirming a decision of town's board of appeals granting variances from town's somethy ordination important itelate. ing to distance fetween facing walls of buildings and granting special exception for multiple dwellings in commercial recreation district. The Court of Special Appeals, Davidson, J., held that zoning ordisonable use of property, that difficulties et 🛞 nance authorizing granting of an area varhardships are peculiar to his property in iance only if strict application of ordinance contrast with other property in same regarding distance between buildings would trict, and that hardship was not result of result in practical difficulty and unnecesapplicant's own actions. sary hardship required that applicant also prove hardship and not merely proof of practical difficulties, and that board's action in granting variances without proof of

Reversed.

hardship was arbitrary.

An "area variance" is a variance from area, height, density, setback or sideline re-

See publication Words and Phrases for other judicial constructions and definitions.

2. Zoning \$=502

A "use variance" is a variance permitting a use other than that permitted in particular district by zoning ordinance. See publication Words and Phrases

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An applicant for an area variance does not have to show a taking in a corumn and tional sense but must show that complutes. with strict letter of restrictions government area, setbacks, frontage, height, bu'k at " density would unreasonably prevent has from using property for permitted purpose or render conformity with restrictions us necessarily burdensome, that grant of vanance would do substantial justice to apple cant as well as to other property owners a district, that relief can be granted in such fashion that so rit of ordinance will be to served and public safety and welfare to

Impact of an area variance is les to e. drastic than that of a use variance so but den placed on one seeking area variance is less than burden placed on one seeking a n

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In order to obtain a use variance,

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ordinance he would be unable to secure a

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ANDERSON v. BOARD OF APP., TOWN OF CHESAPEAKE BEACH Md. 221

whom were Pitrof & Starkey, Upper Marl-Proof of practical difficulties alone is insufficient to justify granting of area variance under zoning ordinance prohibiting granting of use variance and allowing whom were Hoyer & Fanron, District the granting of area variance only where Heights, and Allen S. Handen, Prince strict application of ordinance would result. Frederick, on the brief, for appellees.

hmarily conuse of lar 1 or building involved. 9. Zoning \$ 538

One who shows no more than that the granting of the variance would do no harm and that it would be profitable to him fails to meet burden of justifying granting of area variance under ordinance allowing the granting of an area variance only where strict application of ordinance would result in practical difficulty and unnecessary

10. Zoning <⇒538 Where applicant for area variance presented only proof that strict application of zoning ordinance, which allowed area variance only where strict application of ordinance would result in practical driffculty and unnecessary hardship, would result in loss of profit and poor planning and evidence established that it was possible

variance does in a constitunat compliance ons governing eight, bulk or prevent him mitted purpose permitted density in accordance with distance between buildings requirement of orestrictions undinance and that such development would grant of variastice to applierty owners in ranted in such nce will be obnd welfare se-II. Zonina @=501

exception could not be sustained.

Eugene E. Pitrof, Upper Marilloro, with

hore, on the brief, for appellants. Steny H. Hoyer, District Feights, with

Argued before MOYLAN, MENCHINE and DAVIDSON, IL.

DAVIDSON, Judge.

This appeal is from an order of the Circuit Court for Calvert County which affirmed a decision of the Board of Appeals of the Town of Chesapeake Beach granting variances from the town's roning ordinance's requirement relating to minimum horizontal distance between facing walls of two buildings and granting a special exception for multiple dwellings in the MCR (Marine Commercial Pecreation) district. After a careful review of the record, we find that the action of the Board of Appeals in granting the variances was arbitrary and capricious and should not be sustained. Because the special exception is conditioned on the placement of the buildings as shown on the site plan, and because that placement, absent the grant of the requested variances, is violative of the "disfor applicant to develop land at maximum the ordinance, the granting of the special exception should not be upheld. On 26 May 1972 the Mayor and Town

be less costly than mode of development Council of Chesapeake Beach enacted a proposed, action of town's board of appeals zoning ordinance for the town, which is loin granting variance was arbitrary and ca- cated in Caivert County. Section 300 of the ordinance divides the town into six classes of districts, or zones, one of which was delineated as the Marine Commercial Recreation (MCR) district. Sections Where grant of special exception to 401(c) and 406 provide that multiple dwellerect multiple dwellings was conditioned on lings may be permitted in the MCR district adherence to a site plan in which, absent if the Board of Appeals grants a special variances, buildings were located in man- exception and certain other specified rener violative of zoning ordinance, special quirements are met. One such specified requirement, contained in § 466(5)(b)(i),

322 ATLANTIC REPORTER 2d SERIES relates to the minimum horizontal distance sites of Building No. I and Building No. 2, permitted between facing walls of any two which were to be separated by a distance indicate the Selected. The distance between Dr. 1928 No. 2 and No. 3 year to be On 19 January 1973 Rotald W. Pickett, approximately 90 feet while that between contract purchaser of the subject property. Buildings No. 3 and No. 4 was to be apand one of the appellees in this proceeding, proximately 100 feet. Section 406(5)(b)(i) filed an application for a runing permit requires a minimum distance of about 250 and an application for a special except in feet between buildings of the height proto develop 22.10 ± acres of land zoned posed.3 MCR with 320 condominium apartment units and a 38,000 square foot convenience On 7 February 1973 the application for a shopping center. A site plan was attached special exception and the accompanying which indicated that in addition to the site plan were reviewed by the Planning commercial facility the applicant proposed and Zoning Commission. The minutes of

to build four apartment buildings, each that meeting reflect that a member of the nine stories high. Parking spaces were to staff of the State Planning and Zoning be provided for 898 cars, with 640 spaces Commission advised the Commission not allocated to service the apartment dwellers only that variances were required because and 258 to service the shopping center. of non-compliance with § 406(5)(b)(i) but An existing swimming pool, bathhouse and also that the inclusion of a shopping area clubhouse were to be improved and re- was violative of § 406.4 The Planning and tained for use by the residents of the pro- Zoning Commission voted to recommend to posed condominiums and four tennis the Board of Appeals that the proposed courts were to be constructed for their en- special exception be granted, "providing joyment. All four buildings were to be po- that all commercial buildings be deleted sitioned in a row along the edge of the and that the Board of Appeals grant a var-Chesapeake Bay and were to be parallel to iance for the non-compliance of distances one another. The existing swimming pool between buildings." On 13 February 1973 and bathhouse hes between the proposed the Board of Appeals received the follow-

1. More specifically, § 406(5) (b) (i) provides. "[W]here two (2) facing walls both contain a window or windows the minimum horizontal distance shall be three (3) feet of horizontal distance for each foot of average height of the facing wall of the building with greatest height but in no case less

2. The sire was previously occupied by the Chesapeake Beach Amusement Park, 3. The record is unclear as to the precise

distances involved. The minutes of a meeting of the Planning and Zoning Commission. held on 7 February 1973 Indicate that the proposed buildings were to be 86 feet high, which would necessitate a distance of 258 feet between huildings, and that the distance between Buildings No. 2 and No. 3 was to be 90 feet, while between Buildings No. 3 and No. 4 the distance was to be 100 fest. Under this set of facts variances of 108 feet and 158 feet are required. Although the zoning permit application indicates a building height of 81 feet, the archi-

tect testified at the public hearing held by the Board of Appeals on 12 April 1673 that the maximum height would be 80 feet. A site plan submitted to the Board of Appeals at this hearing indicates a distance of approximately 100 feet both between Buildings No. 2 and No. 3 and between Buildings No. 3 and No. 4. Under this set of facts, two variances of either 143 or 140 feet each would be required. However, at the hearing before the Board

of Appeals and here on appeal the parties agree that the ordinance requires a minimum distance of 240 feet between the buildlugs and that variances of 153 feet and 143 Section 406 provides for a minimum lat

area of 3,000 square feet for each unit m an MCR development. The staff member pointed out that on a tract of 22.1 acres. where 960,000 square feet would be needed to fulfill the requirements for the erection of 320 units, only 2.678 square feet would be left for the construction of the shopping

Building No. 2, ed by a distance The distance be-No. 3 was to be le that between was to be ap-

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"The Planning and Zoning Commis- Mr. Pickett further testified that the tosion accepts the plan submitted by Mr. pography of the site also dictated the locaon 406(5)(b)(i) nce of about 250 the height proapplication for a e accompanying by the Planning Thereafter Mr. Pickett filed an applica-The minutes of tion for a variance alleging that: a member of the ing and Zoning Commission not

> of the land and buildings," On 12 April 1973 a hearing was held be-

Ron Pickett to construct four nine-story tion of the remaining three buildings. He buildings on site of attached plan, pro- pointed out that the terrain generally viding you delete all commercial on said slopes upward from Route 261, the western plan and that you grant a variance for boundary of the property, to the center of the non-compliance of distances between the property, and then slopes downward, buildings required in Section 406(3)(b) finally leveling off near the water's edge. Three alternatives vere available. Buildings No. 2, No. 3 and No. 4 could have been located near the western boundary of the property at the bottom of the slope, "Due to the exceptional physical charac- "which would have meant that our people teristics of the site a hardship is created wouldn't even have any view of the water." by conforming to the 3' for 1' which They could have been located on the top would deprive me of the reasonable use of the hill, "which would have given us higher elevations and probably more water view," but which also "would have been fore the Board of Appeals. The site plan Finally, they could have been located on submitted there deleted the proposed commercial use in its entirety, but the four near the water's edge. The latter alternaproposed apartment buildings remained in tive was chosen to maximize the residents' approximately the same position they had view of the water and minimize the visibility of the structures from Route 261. Two witnesses testified with respect to Mr. Pickett testified that the possibility

ANDERSON v. BOARD OF APP., TOWN OF CHESAPEAKE BEACH Md 223

ing written communication from the Chair- ments of the ordinance and the dimensions

man of the Planning and Zoning Commis- of the building, that building had to go

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the need for the requested variances. Mr. of replacing Buildings Nos. 2, 3 and 4 with Ronald W. Pickett, the contract purchaser two buildings was considered. He pointed of the property, testified that the property, out that in order to "use the density to bounded on the west by Route 261 and the maximize the value of the property" the east by the Chesapeake Bay, is "very two substitute buildings would have to be u sique." It is "almost like an L shape" 12 or 13 stories in height. While such a with the southern portion of the property mode of development would have obviated being considerably narrower than the the need for a variance and would have northern portion. Building No. I is locat- been more economical to construct, this aled on Pool Hill," a hill which "slopes rath- ternative was rejected "in order to minier quickly down to the swimming pool." mize the appearance of the structures from The location of Building No. 1 was dictated the road." Consideration was also given to by the setback requirements of the ordi- placing Building No. 3 to the rear of, rathnance and the slope of the hill, which to- er than between, Buildings No. 2 and No. gether prohibited the placement of the 4. This alternative was rejected for a vabuilding on any other spot. According to riety of reasons. Since the halconies on Mr. Pickett "there is no other way for us the rear building would overlook the balcoto locate that building We nies on the front buildings, the arrangewere locked in on the first building site, we ment would interfere with the privacy virtually had no alternative if we were which the halconies were specifically degoing to use that particular piece of prop-signed to provide. Parking would have to erty, Pool Hill. Because of the requires be provided in front of Building No. 3

224 Md. which would interfere with the residents' view, the development as planned would view of the natural beauty of the shoreline. enhance the general area. Either Building No. 3 would have to be lo-

cated on the crown of the hill, making the building more visible from the road, or the crown of the hill would have to be removed to make the building less visible from the road, neither of which was a desirable mode of development. Finally, the principles of sound planning would be violated by the changes in the traffic patterns which would be required and which would result in residents from all the buildings driving in front of Building No. 3. Under the proposed site plan, mobile activity is confined to the rear of all the buildings.

Mr. Herbert Fleischer, an architect, en-

gineer and planner, who had prepared the site plan for the subject property, qualified as an expert. He testified that the subject property had "intriguing natural beauty" with distinct contours and vegetation which should not be disturbed. He opined that the buildings are located so as to preserve the shoreline and indeed to enhance the view from the bay toward the project. He stated that although it would have been possible to place Building No. 3 in a different location, the plan as drawn maximized the permissible density while producing a "well-organized project." In his view, the four roughly parallel buildings are more in harmony with the appearance and character of Chesapeake Beach than a "staggered" layout would be. Moving the building to the west, behind Buildings No. 2 and No. 4, would mean building it in a "hole" behind the hill. In addition a parking area would be required in front of the building which would have divided the planned open park recreation area. Such a parking lot would destroy the "resort" character of the project and create traffic hazards for pedestrians attempting to use it. Mr. Fleischer concluded his testimony on direct examination by stating that the grant of the requested variances would have no adverse effect on the residents of the buildings, the abutting property owners, the surrounding properties or the neighborhood of Chesapeake Beach. Indeed, in his

322 ATLANTIC REPORTER, 2d SERIES

On recross-examination the following

"O. The only other questi a I would ask, can you tell the board what hardship would be suffered by your client if the

"A. The only hardship would be the loss of income because you couldn't have the other huildings. You see, you have to approach it two ways. My opinion is, the density that we have is a low one, in . my opinion.

"O. If you would just try to answer the question directly, if you can, what hardship would you suffer if the variance is not granted?

"A. Maybe poor planning.

variance was not granted?

"Mr. Handen [Town Attorney for Chesapeake Beach]: I think we have batted back and forth enough, gentlemen, it's got to come to an end."

On 18 April 1973 the Board of Appeals issued a written statement and decision. With respect to the request for variances, the Board of Appeals found, among other

"I That, as a matter of fact, the variance requested will not be contrary to the public interest and that practical difficulties and unnecessary hardship would result if it is not granted.

. "4. That, as a matter of fact, the Petitioner met the burden of proving unique circumstances in that a strict application of the Zoning Ordinance would deprive the P-litioner of the reas table use of his land and proposed buildings.

"5. That, as a matter of fact, Petitioner met the burden of proving unnecessary hardship as required by the Ordinance in that to disallow the variance would impose a special hardship on the subject property.

ANDERSON v. BOARD OF APP., TOWN OF CHESAPEAKE BEACH Md. 225 ANDERSON "6. That, in addition to paragraphs

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numbered 1 through 5 above, the Bo a found as a fact that the granting of the variance is necessary for the reasonable use of the land and Petitioner's buildings; that the hardship complained was not economical nor self-created; that the hardship resulted from the application of the Ordinance and that the hardship would be specifically suffered by the property in question."

> With respect to the special exception the Board of Appeals found:

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"7. That, as a matter of fact, the special exception requested is consistent with the spirit, purpose and intent of the

"8. That, as a matter of fact, the spe-derson, who opposed the granting of the cial exception requested is suitable for application at the Board of Appeals hearthe property in question and designed to - ing and appealed the Board's decision to he in harmony with and appropriate and the Circuit Court contend that the zoning appearance with the existing and intend- ordinance of the Town of Chesapeake ed character of the general vicinity; and Beach requires the applicant to show that a that the special exception does not adversely effect street traffic and safety. sult not only in "practical difficulty" but

also in an "unnecessary hardship" depriv-The Board of Appeals granted the variances and special exception subject to a land or building involved. They maintain condition, among others, "that petitioner that because this dual showing was not must substantially adhere to matters of made, the action of the Board in granting construction to the initial plans presented the variances was arbitrary and capricious.

On 3 August 1973 the Circuit Court for Calvert County affirmed the grant of the variances and the special exception. With peals and Mr. Pickett, the applicant, conrespect to the variances, the Court said: tend that the variances requested in this case involve an "area variance" (a vari-"Finally, with respect to the granting ance from area, height, density, setback, or

of the Variance, the Appellant's position sideline restrictions, such as a variance seems to be that because the Applicants' from the distance required between builds Section 1002(c) of the zoning ordinance—statement and decision in a builderplate form states that each resolution of the Board of employing the terms of the ordinance itself

Appends "shad contain a statement of the without setting forth any specific findings grounds and any findings forming the basis of fact. See, c. q., Hooper v. City of Gaithof such action or decision." Despite repeater ersburg, 270 Md, 628, 637, 313 A.2d 491, ed admonitions by the Court of Appenls that 496 (1974); Baker v. Board of Trustees, the findings of administrative boards are not 269 Md, 740, 747, 369 A.2d 768, 771-772 to be limited to conclusions couched in the (1973); Pistorio v. Zoning Board, 268 Md. terms of the ordinance itself but rather are 558, 579, 302 A.2d 614, 619 (1973); Turner to include specific findings of facts that sup- v. Hammond, 270 Md. 41, 56, 310 A.2d 543, port their conclusions, the Board of Appeals 551 (1973). in this case set forth its conclusions in its

322 ATLANTIC REPORTER, 2d SERIES

ings) and not a "use variance" (a variance which permits a use other than that permitted in the particular district by the ordinance, such as a variance for an office or commercial use in a zone restricted to residential uses). They maintain that area variances may be allowed on proof of "practical difficulty" alone and that such variances do not require a showing of "undue hardship." They insist that more than sufficient evidence was presented to make the question of whether practical difficulties would result from the denial of the requested variances "fairly debatable." They conclude that the action of the Board in granting the requested variances and the

special exception should be upheld.

[3-5] The Court of Appeals has recovenized a distinction between a use variance which changes the character of the zoned district, and an area variance, which does difficulty" applies, the applicant is relieved not. Use variances are customarily con- of the burden of showing a taking in a cerned with "hardship" cases, where the constitutional sense, as is required under land cannot yield a reasonable return if the "undue hardship" standard. In order used only in accordance with the use re- to justify the grant of an area variance the strictions of the ordinance and a variance applicant need show only that: must be permitted to :d confiscatory operation of the ordinan , while area variances are customarily concerned with "practical difficulty." Loyola Loan Ass'n v. Buschman, 227 Md. 243, 248, 176 A.2d 355, 358 (1961). Where the standard of undue hardship applies, the applicant, in order to justify the grant of the variance, must meet three criteria:

1) If he complied with the ordinance he would be unable to secure a reasonable return from or to make any reasonable use of his property. Pem Co. v. Baltimore City, 233 Md. 372, 378, 196 A.2d 879, 882 (1964); Marino v. City of Baltimore, 215 Md. 206, 218, 137 A.2d 198, 202 (1957): see Salisbury Bd. v. Bounds, 240 Md. 547, 555, 214 A.2d 810, 815 (1965). Mere financial hardship or an opportunity to get ar increased return from the property is not a sufficient reason for granting a variance. Daihl v. County Board of Appeals, 258 Md. 157. 167, 265 A.2d 227, 232 (1970); Salisbury

Previous case: 73-305 Fl

Bd. v. Bounds, supra, 240 Md. at 555, 214 A.2d at 814: Marino v. City of Baltimore.

supra; Easter v. City of Baltimore, 195 Md. 395, 400, 73 A.2d 491, 492 (1950). .) The difficulties or hardships were peculiar to the property in question and contrast with those of other property owners in the same district. Burns v. Baltimore City, 251 Md. 554, 559, 248 A. 2d 103, 106 (1968); Marino v. City of Baltimore, supra; Easter v. City of Bal-3) The hardship was not the result of

> Bd. v. Bounds, supra; Marino v. City of Baltimore, supra; Gleason v. Keswick Impvt. Ass'n, 197 Md. 46, 50-51, 78 A.2d 164, 165-166 (1951). [6,7] Where the standard of "practical

the applicant's own actions. Salisbury

"1) Whether compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unneces-

sarily burdensome.

"2) Whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property

"3) Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured." McLean v. Soley. 270 Md. 208, 214-215, 310 A.2d 783, 787 (1973), quoting 2 Rathkopf, The Law of ANDERSO

Md. at 555, 214 Zoning and v of Ba' imore, 1972). Baltimore, 195

The lesser but 1, 492 (1950). impact of an dships were pebeing much les question and variance. other property rict. Burns v. While a distr \$54, 559, 248 A. variances has

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McLean v. Soley,

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articulated in v. City of Balpeals has apply standard to are only three case the result of 270 Md. at 213 ns. Salisbury Zengerle v. Bd arino v. City of 1, 21, 276 A.2c on v. Keswick Loan Ass'n v. I 50-51, 78 A.2d 248-250, 176 A them the goverrized the grant d of "practical s'rict complian cant is relieved

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required under Court of Appl Hard. In order grant of the reea variance the justified on proalone and that i e with the required because ons governing dinance, which height, bulk or "practical difficbly prevent the ship" in the disiproperty for a as requiring tha ld render conof proof be appli-

ctions unneces-The zoning of Chesapeake Beac f the variance nances in a num! bstantial justice Section 1005(c)1 s to other prophibits the Board ct, or whether a a use variance. hat applied for the Board to gra-List to the ownwhere the strict ed and be more tions "would res other property and unnecessary Owner of the re-

building involve

added.) Section

applicant must sh

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if [the variance]

ANDERSON T. BOARD OF APP., TOWN OF CHESAPEAKE BEACH Md. 227

270 Md. at 213-214, 310 A.2d at 786-787;

Zengerle v. Bd. of Co. Comm'rs, 262 Md.

justified on proof of "practical difficulty"

"practical difficulty or unreasonable hard-

of proof be applied.

Zoning and Planning, 45-28-29 (3d ed. phasis added.) Section 1005(c)(3) provides that:

The lesser burden is permitted because the "There must be proof of unique circumimpact of an area variance is viewed as stances . . . and that said circumbeing much less drastic than that of a use stances or conditions are such that strict application of the provisions of this Ordinance would deprive the appli-While a distinction between use and area cant of the reasonable use of such land variances has been recognized and clearly or building."

articulated in Maryland, the Court of Ap-Finally, § 1005(c)(5) requires an applicant peals has applied the "practical difficulty" standard to area variance applications in to show:

only three cases. McLean v. Soley, supra, "That the granting of the variance is necessary for the reasonable use of the land or building and that the variance as 1, 2, 276 A.2d 646, 656 (1971); Loyola granted by the board is the minimum Loan Ass'n v. Buschman, supra, 227 Md. at variance that will accomplish this pur-248-250, 176 A.2d at 358-359. In each of pose. It is not sufficient proof of hardthem the governing local ordinance authoship to show that greater profit would rized the grant of an area variance when result if the variance were awarded strict compliance with the regulations Furthermore, hardship complained of would result in practical difficulties or uncannot be self-created; it cannot be reasonable hardship. In each of them the claimed by one who purchases with or Court of Appeals emphasized that the without the knowledge of restrictions; it grant of the requested area variance was must result from the application of the Ordinance; it must be suffered directly alone and that proof of hardship was not by the property in question; and evirequired because the governing zoning ordence of variance granted under similar dinance; which phrased the criteria of circumstances shall not be considered." ship" in the disjunctive, could be construed

as requiring that only the lesser standard [8] Thus the zoning ordinance of the Town of Chesapeake Beach permits area variances only. Not only does it express The zoning ordinance of the Town of the criteria of practical difficulty and un-Chesapeake Beach differs from those ordinecessary hardship in the conjunctive, but nances in a number of significant respects. it also independently requires that no area Section 1005(c)(2) of the ordinance pre- variance be granted unless it is shown that hibits the Board of Appeals from granting strict application of the regulations will dea use variance. Section 1005(a) authorizes prive the applicant of the reasonable use of the Board to grant an area variance only his land and that the grant of the variance where the strict application of the regula- is necessary for the reasonable use of the tions "would result in practical difficulty land, it defines the hardship which must and unnecessary hardship depriving the be shown as the equivalent of a constituowner of the reasonable use of land or tional taking, and utilizes the same criteria building involved. . . ." (Emphasis employed by the Court of Appeals for esadded.) Section 1005(c) provides that the tablishing undue hardship. The words of applicant must show that "practical diffi- the statute are clear and unambiguous and culty and unnecessary hardship will result require no construction. Under the exif [the variance] is not granted." (Empress terms of the ordinance, an area vari-

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ance can be granted only if there is proof land was not fairly debatable. Baltimore that the strict application of the regulative. Sapero, 230 M i. 201, 206, 186 A.2d 884, tions would result in an unnecessary hard- 887 (1962); Marino v. City of Baltimore, ship which deprives the owner of the rea- supra, 215 Md. at 222, 137 A.2d at 205. sonable use of his land. Proof of "practi- The action of the Board of Appeals in

cal difficulties" alone is insufficient, granting the variances was arbitrary and McLean, Zengerle and Loyola, supra, are capricious and cannot be sustained. Daihl [9] Appellees do not contend that the & C. C. of Baltimore, 231 Md. 280, 286applicant presented sufficient proof of an 287, 189 A.2d 631, 634 (1963). Because unnecessary hardship which deprived the grant of the special exception is condiowner of the reasonable use of his land, tioned on adherence to a site plan in The record shows that the only hardship which, absent the variances, the buildings allegedly suffered by the applicant as a result of the strict application of the ordi dinance, it too cannot be sustained. Acnance is "loss of profit" and "maybe poor cordingly, the order of the lower court afplanning." This evidence falls far short of firming the grant of the variances and the a showing of unnecessary hardship as defined by the specific ordinance here involved as well as by the Court of Appeals.

pellees. One who shows no more than that the granting of the variance would do no harm and that it would be profitable to him fails to meet the burden. M. & C. C. v. Polakofi, 233 Md. 1, 9, 194 A.2d 819, 824 (1963).

Moreover, the very testimony which show the practical difficulties encountered in attempting to develop the land at a maximum density in accordance with the distance between buildings restriction simultaneously establishes unequivocally that not only is it possible to develop the land at the maximum permitted density in accordance with the distance between buildings requirement, but also that such development could be less costly than the mode of development

proposed. Given the evidence presented on

a reasonable use of his land.

v. County Bd. of Appeals, supra, 258 Md. at 167, 265 A.2d at 232; Dampman v. M.

Order reversed. Costs to be paid by ap-

22 Md.App. 90 SANITARY FACILITIES II, INC.

> John J. BLUM et ux. et al. No. 755.

Court of Special Appeals of Maryland. July 15, 19/4. Certiorari Denied Sept. 25, 1974.

Purchasers of lots brought a class acbehalf of the applicant, it is impossible for him to contend that the strict application tion to remove a cloud on title. They were of the ordinance prevents him from making granted a summary judgment by the Circuit Court, Anne Arundel County, James L. Wray, L, and the defendant corporation [10,11] Based on the record before us, appealed. The Court of Special Appeals, we find that the ruestion of whether the Moore, J., held that where a conveyance in strict application of the distance between the purchasers' chain of title was by "deed buildings requirement would result in an and agreement" which purported to subject unnecessary hardship to the applicant by the land to annual charges for sewer and

depriving him of the reasonable use of his water facilities to be installed, to be paid 6. In view of our decision all of the other contentions made by appellants need not be cor

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COST AND COMPUTATION STATUS INQUIRY FOR 07/02/82 TIME - 12:17:31 PROPERTY NO. LIST ASSESSOR NO. DRAWING NO. EXEMP-TYPE CZO ROGER GAREINE LYNN HOLDING CO EQUITABLE DANK CENTER DALTIMORE MD 21201

> 07848 WISE AV MW COR LAMEH FOAD 2. 9/6 AC YR M WAT BEN SEW SERV

.00 .00 103 12 00241 2.903 AC:NS WISE AV -----FORMER OWNER----- TRANS DATE

desire to use their land to the fullest ex-

tent, the need for the Variance is some-

thing they created and, therefore, it

should not be considered. The Board,

however, seemed to take the position

that there was a problem created by the

special topographic features and existing

structures on this property, as well as its

relation to the principal natural feature

of the area; that is, the Chesapeake

Bay, which entitled the Applicants to

some consideration. Once again, this is

a matter of judgment and in view of the

evidence bearing on this question, the

Court is satisfied that the Board had be-

fore it sufficient evidence to support the

The appellants, McRae and Carmen An-

[1,2] The appellees, the Board of Ap-

result it reached."

242, 00 36 187, 00 576. 18

03/03/82 056399 82/03/11 SECOND FAIRLAND INC. PRESS ENTER TO CONTINUE PRESS PA2 TO END SESSION

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Filing Fee \$ 25 William E. Hammond, Zoning Commissioner

Petitioner's Attorney Place Hord for Reviewed by Ots *This is not to be interpreted as acceptance of the Petition for assignment of a

PETITION MAPPING PROGRESS SHEET Wall Map Original Duplicate FUNCTION date by date by date by Descriptions checked and outline plotted on map Petition number added to Denied Granted by ZC, BA, CC, CA Revised Plans: Reviewed by: Change in outline or description Yes

PETITION	M	APPI	NG	PRO	OGRE	SS	SHE	ET		
FUNCTION				ginal Duplicate		Tracing		200	Sheet	
	date	by	date	by	date	by	date	by	date	Ьу
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Previous case: 73 -305	AP	la								

Dab Ross Bentrickson. Escaire Benerveir, bart, Peaker & Let 9 West Milberry Street Malvisore, Md. 21201

Par. Aubert McCenedate c/o Cack 2 ad, Inc. 10501 Dockuste Read Paple lieights, this 141 17 Das Derestaert Place Topoca, M.L. 21204

BALTIMORE COUNTY OFFICE OF PLANNING - ZONING County Office Building

111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received and accepted for filing this

WILLIAM E. HAMMOND

Petitioner Cook United, Inc.

Petitioner's Attorney Red hour Fundricken, Tag. Reviewed b

Chairman, Zoning Plans Advisory Committee

Map # 5 E 3 F

Zoning Commissioner

DUPLIGATE PETITION FOR VARIANCE PETITION FOR VABIANCE PETITION FOR VARIANCE 121H DISTRICT CERTIFICATO OF PUBLICATION 12TH DISTRICT ZONING: Petition for Variance 20NING: Patition for Variance LOCATION: Northwest corner of Wise Avenue & Lynch Road DATE & TIME: Thursday, March 25, 1987, at 9:30 A.M. PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Townon, Maryland 21204 CERTIFICATO OF PUBLICATION PETITION FOR VARIANCE LOCATION: Northwest corner of Wise Ave. & CERTIFICATE OF PUBLICATION Z'MING: Position for Variance Lynch Road CATE & TIME: Thursday, March 25, 1982, LUJATION: Northwest corner of Wise Ave. & ZON! 1 Petition for Variance LOCA OJ: Northwest corner of Wise Avenua & Lynch Road Late & Time: Thursday, March 26, 1962, at 9:30 A.M.
PUBLIC INEARING: Room 106, County Office Building, 111 W.
Chesapeake Avenue, Towson, Maryland 31204 CERTIFICATE OF PUBLICATION Lysth Road DATE & TIME: Thursday, March 25, 1942, at 9:30 A.M. PUBLIC HEARING: Room 106, County Office OFFICE CF Building, 111 W. Chesapeake Avenue, PUBLIC HEARING: Room 106, County Office OFFICE OF Tourson, Maryland
The Zoning Commissioner of Baltimore Burlding, 111 W.: Chesapeake Avenue, Dundalk Eagle TOWSON, MD., March 4, 19.82 Dundalk Eagle The Zoning Commissioner of Bal-timore County, by authority of the Zoning Act and Regulations of Bal-timore County will hold a public County, by authority of the Zoning Act and The Zoning Commissioner of Baltimore Regulations of Bathmore County, will hold a County, by authority of the Zoning Act and THIS IS TO CERTIFY, that the annexed advirtisement was Public hearing: Petition for Variance to waive the re-Regulations of Baltimore County, will hold a The Zoning Commissioner of Bal-timore County, by authority of the Zoning Act and Regulations of Bal-timore County will hold a public hearing:

Petition for Variance to waive the requirement that all off-street parking facilities, including drives be screened from off-site residential or institutional premises

The Zoning Regulation to be excepted as follows:
Section 499. 2C(1)—Required screening for off-street parking

All that parcel of land in the Twelfth District of Baltimore County THIS IS TO CERTIFY, that the annexed advertisement was 38 N. Dundalk Ave. Dundalk, Md. 21222 quirement that all off-street parking facilpublished in THE JEFFERSONIAN, a weekly newspaper printed March 5, 1982 Petition for Variance to waive the re-38 N. Dundalk Ave. ibes, including drives be screened from difquirement that all off-street parling facil-March 5, 1982 published in THE JEFFERSONIAN, a weekly newspaper printed site residential or institutional premises.

The Zoning Regulation to be excepted as Dundalk, Md. 21222 hearing: Petition for Variance to waive the ities, including drives be screened from offand published in Towson, Baltimore County, Md., SKEY AP COSEN site residential or institutional premises. requirement that all off-street park-ing facilities, including drives be screened from off-site residential The Zoning Regulation to be excepted #3 and published in Towson, Baltimore County, Md., gray in care Section 409.2C (1) - Required screening one time *** WEEK's before the 25th THIS IS TO CERTIFY, that the annexed advertisement of illiam Hammond, zoning commissioner Balto county for off-street parking.

All that parcel of land in the Twelfth Section 409.2C (i) - Required screening or institutional premises
The Zoning Regulation to be excepted as follows:
Section 409. 2C(1)—Required screen-THIS IS TO CERTIFY, that the annexed advertisement of for off-street parking.

All that parcel of land in the Twelfth afc_one_time__ muccasivexweeks before the __25th_____ day of _____ March ____, 19_82 , the Tixst publication District of Baltimore County,
Located at a point on the northwest william Hammond, zoning commissioner Balto county in matter of petition of Cook United, Inc. hearing was inserted in The Dundalk Eagle a weekly newsin matter of rotition of Sock United, Inc. hearing Located at a point on the north-west corner of Wise Avenue and Lynch Road and run: Ing westerly along the north side of Wise Ave-nue 640 more or less, thence leaving the north side of Wise Avenue and running north 10° 10′ 4′° east 585′ more or less to the south side of Eddlynch Drive, thence running easterly 390′ more or less, thence leaving the south side of Eddlynch Drive and running South 9° 11′ 45′ west 215′ more or less, thence south 80° 53′ 12′ east 235′ more or less to the west side of Lynch Road, thence running south along Lynch Road 640′ more or less to the place of beginning. District of Baltimore County
Londed at a point on the northwest
corner of Wise Avenue and Lynch Road and ing for to "freet parking
All the, arcel of land in the
Tweifth D strict of Baltimore Councurrier of Wise Asenue and Lynch Road and day of _____ March____, 19_82_, the first publication The Dundalk Eagle a weekly new. appearing on the 4th day of ____ March was inserted in unning westerly along the north side of Located at a point on the north-west corner of Wisc Avenue and Lynch Road and running westerly along the north side of Wise Ave-nue 640 more or less, the re-leaving the north side a Wise venue and running north 10° 10' 41" east 585' more or less to the south side of Eddlynch Drive, thence running easterly 390' more or less, thence leaving the south side of Eddlynch Drive and running South 9° 11' 45" west 215' more or less, thence south 80° 53' 12" east 235' more or less to the west side of Lynch Road, thence Mise Avenue 640' more or lest thence running westerly along the north side of Wise Avenue 640' more or less, thence appearing on the _____ day of ______March____ paper published in Baltimore County, Maryland, once leaving the north side of Wise Avenue and running north 10" 10" 41" east 585' more or less to the south side of Eddlynch Drive. paper published in Baltimore County, Maryland, once acceek leaving the north side of Wise Avenue and running north 10° 10' 41" east 585' more 19_82_ or less to the south side of Eddlynch Drive. THE JEFFERSONIAN, thence leaving the south side of Eddyrich.

Drive and running South 9" 11" 45" west thence run and easterly 390' more or less. thence leaving the south side of Eddlynch 5th day of Harch, 1982; that is to say, THE JEFFERSONIAN, Drive and running South 9' 11' 45" west 215' more or less, thence south 80° 53° 5th day of March. 215' more or less, thence south 80° 53' 12" east 235' more or less to the west side that is to say, 12" east 235' more or less to the west side the same was inserted in the issues of of Lynch Road, thence running south along of Lynch Road, thence running south along Lynch Road 640' more or less to the place the same was inserted in the issue of beginning.

Being the property of Cook United, Inc. as shown on plat plan filed with the Zoning Department Hearing Date: Thursday, March 25, 1982 at 9:30 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland By Order Of

WILLIAM E. HAMMOND, of beginning Being the property of Cook United, Inc., Lynch Road 640' more or less to me place March 5,1982 the wer' side of Lynch Road, thence running south along Lynch Road 640' more or less to the place of Cost of Advertisement, \$_____ of beginning.

Being the property of Cook United, Inc., March 5,1982 as shown on plat plan filed with the Zoning Cost of Advertisement, \$_____ beginning.

Being the property of Cook United, Inc. as shown on pl t plan filed as shown on plat plan filed with the Zoning Hearing Date: Thursday, March 25, 1982, with the Zoning Department
Hearing Date: Thursday, March
25, 1962 at 9:30 A.M.
Public Hearing: Ecom 168, County
Office Building, 111 W. Chesapeake
Avenue, Towson, Maryland
By Order Of
WILLIAM E. HAMMOND,
Zoning Commissioner Hearing Date: Thursday, March 25, 1982 Public Hearing: Room 106, County Office at 9:30 A.M. Public Hearing: Hoom 106, County Office Building, 111 W. Chesapeake Avenue, Kimbel Publication, Inc. Building, 111 W. Chesapeake Avenue, Kimbel Publication, Inc. CHO! THE S MALLEN BY ORDER OF WELFARE HAMMOND 20MM COMMISSIONER
OF BALLHORE COMMISSIONER CERTIFICATE OF POSTING 057 ZONING DEPARTMENT OF BALTIMORE COUNTY Date of Posting 3/7/82 Dundalk, Md. Parch 5, 1982 Baltimore County, Md. Office of Central Services Suite 412 Courts Bldg. 401 Bosley Ave. Towson, MD 21204 ADVERTISINGZONING - Karen Reigel POA- 3768, Req. L 33232, Feb. 24, 1932 Netition fo Wariance- Cook United, Inc. NW/cor of Wise Ave. & Lynch Rds. Hearing Thurs. March 25,1982-Issue March 4, 1982 --- 90 lines - \$ 31.50 certificate of publication attached - copy of bill & cert pub sent to Euren Reigel this Lite

